

MINUTES OF REGULAR MEETING

BLUE VALLEY METROPOLITAN DISTRICT

Zoom virtual meeting called to order at 7:00 pm on Monday, April 12, 2021. Board secretary Andrea Buller present. Board members present: Buck McNichols, Mark Nelson, Mike Stoveken, Jack Norton, and Tom Kellen. Board absent: None. Guests present: Matt Willits, Kathy Walton, Todd Nelson, Jason Kruckeberg, and Steven & Cacey Martin.

Review and Approval of Minutes of Previous Meeting(s) – Buck moved, Mike seconded to approve the minutes of the January meeting. All in favor. Motion carried.

Water Operator

- Annual consumer confidence report draft came out the end of March. Matt will make a few edits then send to Andrea for the June invoice as well as the website.

Agenda items provided by Matt Willits w/ Water Solutions, Inc.

- WSI read District water meters for the 1st quarter 2021. WSI had repaired one meter reader prior to reading meters but also discovered 3 new meters not reading. There are currently 10 meters not registering a reading. WSI will purchase two new meters and two digital remote readers to assist in repairing the 10 broken meters.
- As part of the SCADA system and dialer upgrades WSI will now be able to receive call out alarms to multiple operators verses only receiving text messages. This will increase the monthly SCADA charge from \$60 to \$65/month.
- WSI plans on completing fire hydrant maintenance and valve exercise program in early summer as this maintenance was not completed last year. The valve exercise program will be linked to the GIS mapping project.
- The chlorine injection pump was starting to fail and was having difficulty maintaining a constant chlorine dose. WSI rebuilt the wet end, and the pump seems to be working normally. WSI will order spare parts to replace the District's inventory.

Architectural and Rules Committee

- Website transfer – Andrea handled the transfer and will get password setup and forwarded to the ARC for them to maintain their page.
- Todd stated they just approved 2 more houses and plan to approve a third in next day or so, bringing total to 6 houses coming in now. He just received plans from a second person putting a garage in at their place as well as a couple additions. Todd stated the issue he is starting to see is that people are starting to install a lock off and renting a portion of their house. Todd contacted the county for guidance and they stated that if there are 2 separate kitchens, the zoning regulations come into play. Todd believes we need to contact the attorney to review the county regulations along with our augmentation plan to determine if this would be allowable and advise the board with how to proceed. Buck stated that he agrees it is a valid concern for the district as the covenants are very clear in regard to the single-family dwelling regulation. Jack asked if this is also applicable to short-term rentals. Todd stated that the county stated there may be a loophole for that if the renter and homeowner have to enter the residence through the same door and may not be an issue until they install a second kitchen. Buck stated that upfront, this really is more of a water board issue so he will draft up language to send to Jim and forward to Andrea to be sent on to Jim.
- Todd stated there is a resident that contacted him last year wanting to install a fishpond on their property. Todd told them they are not allowed to use the district's water and would need to provide proof of purchasing the water elsewhere. Todd stated there is now visible construction on the property and while he has not verified the intended use for the construction, it is a concern for the board as it appears as it could possibly be for a pond.
- Todd stated that he went to Ron Walsh's property due to a leach field encroachment as well as driveway violation brought to his attention by a neighbor. In regard to the leach field encroachment, Todd stated there is a new pin on the property but does not believe it was set by a surveyor. Todd believes the ARC would be ok with allowing a variation for a 10' setback as that is standard at county and state levels but the location of the pin needs to be verified by the homeowner via survey. In regard to the driveway, Todd stated the owner needs to install two culverts. Buck stated he did also go to the property and discussed with him that culverts need installed. Buck stated he will go over and visit with him since weather and conditions now allow it to be completed. Mark stated the approach to the driveway cannot start to incline until it is off the shoulder of the road. Todd asked if it is a district regulation as there are other properties with same. Mark stated that it is in the county regulations that the board has adopted and implemented for all new construction. Andrea told Todd that a quick search shows the culvert discussion was in early 2018 and letters were sent in June 2018 and would be a good place to start

looking. Buck stated that water will not be an option through the District until these issues are resolved and in compliance with board policies.

- Buck asked Todd if he spoke with Dwayne. Todd stated he is in communication with him.
- Todd stated he has two checks he will drop off for Andrea in the dropbox.
- Buck asked if the ARC has any deposits due back to Michael Brassanini. Todd stated he does have a \$150 deposit on file that is due back to him. Todd stated that he has previously sent him an email asking him to submit his written request for refund. Mark asked if Todd would please resend to him and copy a couple board members to make sure it is received by Mike.

Signage erected and website

- Verbage to be added to June invoice
- Three (3) signs were ordered and Buck will install them; next to mailboxes, next to powerline on North edge of property, and one by river access.
- Buck stated he noticed multiple all terrain vehicles coming from the 5-acre properties so he went up and reinstalled the fence and placed orange flagging on it. Buck also discovered that Blue Valley Ranch purchased the property where the pink trailer is and is in the process of reclaiming that property as it is also a trespass issue for them on their side.

Engineering Project Update

- Mark asked if any board members had a question regarding the letter from JVA dated 3/24/2021. Mark stated their estimate for building their weir structure is almost 5000 cubic yards of boulders. Mark stated that the pile they have is probably only about 50% usable and the total pile is probably only about 75 yards. Mark stated 5000 yards would be about 10000 tons which would be approximately \$50,000 in rock before freight costs which he would estimate to be upwards of \$75,000. Mark does not see how the District can afford to do this project at this time. He suggested it may be best to contact Blue Valley Ranch as they own half of the river. Jack stated he believed approaching Blue Valley first made sense no matter what the board chooses to do. Todd stated the 5 acres just received a design from a different company and Mark stated that the board is open to looking at other designs. Mark stated that part of Kevin Pilgrim's concern is long-term effects and that what happens on both sides will have a long-term impact. Mark stated that basically the District will not get any benefit without raising the static level by feet and to figure this out, the district needs to install transducers. The general consensus is that engineers are reluctant to state if the weir project is a great idea or cost effective so the study makes good sense. Mark stated one thing they suggested is looking at the future to determine if possibly a better decision to expand the gallery. Buck asked what Mark's recommendation is in regard to the transducers. Mark stated it is not a whole lot of work and should not be a large expense but we need the platform for recording what is going on and believes JVA and Matt can help guide the board in that. Mark stated he will work on getting a cost estimate before the special meeting in May. Todd stated he received bids about 5 years ago and believes they were between \$10000 and \$35000. Tom asked if the weir structures project would be something to consider a mill levy for. Everyone agreed it could be a method but there is a lot to accomplish before then and the priority list needs to be determined as what is realistic for a long-term plan. Mark stated that long-term health of the water system is of top priority.
- Buck discussed the letter received from Raftelis dated 4/12/2021. There estimate is \$19950 with a 90-day completion timetable and a not-to-exceed \$20000. Andrea stated the amounts budgeted. Mark stated the district will not do flow control valves as discussion with Matt Willits during work session determined they are not necessary. Buck stated that the board has enough funds budgeted to proceed with the study. Jack and Mike asked if the estimate is reasonable. Mark agreed it seemed excessive but stated that it has been discussed for last 18 months and is in line with what multiple people have said it would cost. Buck stated that he would emphasize the need to prioritize this to Raftelis. Mike asked if summer is higher usage than normal and Buck confirmed. Buck moved to approve scope of work for water rate study and to ask Raftelis to get started ASAP. Mike seconded. All in favor. Motion carried. Buck will be in touch with them tomorrow and emphasize the rush and need to get this completed ASAP.

Spring Road Work / RFP published with deadline of May 1 – No bids have been received yet. We will schedule a special meeting in May to discuss bids received and approve one of the bids.

Secretary's Report

Andrea asked what the status is of known issues at following properties;

* 364 GCR 1014 - new install – Matt sent Todd Nelson an invoice for the water meter but Todd has yet to request a meter inspection. Andrea asked if the water has been turned on at the property yet and Matt stated he has not turned on

the water yet or read a meter there. Buck asked Todd if he had an update as far as the schedule as there are people living in camper at the property. Todd stated probably sometime within next week or so. Matt will send Andrea the inspection sheet when completed and Andrea will begin billing for the property.

* 297 GCR 1012 - bridle path encroachment – Buck stated it is not complete yet but is definitely being worked on. Buck also stated there are other properties that will also be needing letters and will get that information to Andrea.

- Current Balance(s) – Stand for Audit
 - UBB Checking = \$94,233.08
 - UBB Savings = \$70,845.70
 - COLO Trust = \$179,660.17 – Andrea asked if anyone is interested in looking into different investment options through COLO Trust that may have better interest rates. Mike agreed to review it. Andrea will forward email.
- Paid Bills to Approve = \$20,248.30 – Buck moved to approve. Tom seconded. Mark abstained. Remaining board in favor. Motion carried.
- 2020 Audit Exemption & Resolution 2021-02 – Buck moved to approve the 2020 Audit Exemption application and Resolution 2021-02 and for Andrea to utilize digital signatures on file. Mike seconded. All in favor. Motion carried.
- Andrea relocation – Andrea will be moving to Southeastern Colorado in the beginning of June. Buck stated that he has spoke with Andrea about it and Andrea is willing to continue working for the District remotely. Buck stated that he does not believe that there are enough tasks that will be problematic and would like to have her continue her duties for the district. Buck stated he is willing to take on the task of picking up the checks. Buck stated that he thinks the board should move forward with transitioning to electronic payment. Buck stated he is not interested in transitioning to a new administrative assistant. Mark agreed and said he is willing to help out and do whatever needs to be done to avoid a transition to a new administrative assistant. Buck asked if Andrea could try to make a list of chores that would need to be handled locally. Buck asked if everyone on the board agrees with that plan. Everyone agreed. We will add that to the special meeting in May and appoint local tasks to board members.
- Electronic Payment – Buck moved for Andrea to proceed with setting up a electronic payment structure through SIPA. Mark seconded. All in favor. Motion carried.

Public Address

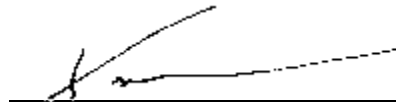
- Kathy Walton – stated she contacted Deputy Wilson with the County Sheriff’s office regarding the noise and dust caused by the “racetrack” activity on the roads in her neighborhood. He informed her that since the board maintains the road, they are responsible for the road. Kathy requested the Sherriff patrol more often and was informed he would try to patrol the roads more often in the summertime. She is not sure what can be done but the round and round and excessive speeds are something she wants stopped. Buck stated that he hopes some of the signs being erected will help rectify some of the problems but it may take contacting law enforcement. Buck empathized with her that with so much growth, her experiences in her neighborhood are different than she is use to. Buck also stated that misuse of the roads does cause damage and is a concern for the board. Buck reminded Kathy of the importance of talking with her neighbors and expressing her concerns directly to them.
- Kathy Walton – concerns regarding the driveway being installed by her neighbor as the drainage from his property flows right onto her property. She does not want to wait until she has damage on her property to have something done. Kathy reached out previously to Todd and asked him to come look. Kathy thanked Mark for sticking up for her. Buck stated he will speak with Ron Walsh again about the culverts and driveway and emphasize that it is a priority for him to get it fixed. Andrea will draft a letter and send to Ronald & Leah Walsh at 532 GCR 101 to ensure compliance within 30 days that two (2) culverts must be installed per county standards.
- Jason Kruckeberg asked Buck if he purchased Stop signs. Buck stated he has not yet but does plan to. Jason said he is aware that the board could use some help and will be reaching out to offer his assistance.
- Jason Kruckeberg wanted to take the opportunity to thank the board for what seems to be a series of thankless endless tasks.
- Todd stated the stop sign at 1014 & 1018 needs replaced. He believes that due to the speed limit being under 20, a smaller size is appropriate. He ordered signs for the 5 acres with high reflectivity and would like to see similar ones in the District. Todd offered his time to install them.
- Todd stated the land share has their annual meeting on Saturday. The road currently being used between the two subdivisions is private property and he will communicate it at the meeting.

- Todd stated he is going to install a culvert at his property at 74 GCR 1018. He stated that if he installs per requirements, it will be below grade and the road will need repair work. Mark asked him to call him before he installs the culvert and he will come over to look at what needs to be done with him to discuss a plan.

Buck moved to adjourn the meeting at 8:45pm. Mark seconded. All in favor. Meeting adjourned.

BLUE VALLEY METROPOLITAN DISTRICT

Andrea Buller, Secretary



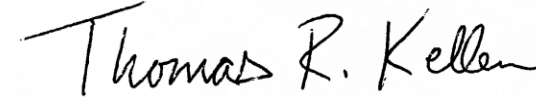
Buck McNichols, Chairman



Mark Nelson, Vice Chairman



Mike Stoveken, Treasurer



Tom Kellen



Jack Norton